

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of:)	
)	
Request for Waiver)	
)	CC Docket No. 02-6
by)	
)	
DeKalb County School District)	
Stone Mountain, GA)	

TO: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

DeKalb County School District ("DeKalb" or "District"), Billed Entity # 127271, respectfully requests the Federal Communications Commission ("FCC" or "Commission") grant it a Waiver of the FY2019 Form 471 filing deadline for FCC Form 471 Application Numbers 191041994 and 191042018. This Request for Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.¹

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¹ 47 C.F.R. §§ 54.719–54.723
DeKalb County School District FY2019 Request for Waiver of FY2019 471 filing deadline

STATEMENT IN SUPPORT OF WAIVER

DeKalb commenced its E-rate Funding Year 2019 competitive bidding process with what should have been sufficient time to have gotten its FCC Form 471 applications filed by the 3/27/2019 filing window deadline. However, in January 2019, the District's administration conducted an internal procurement assessment which resulted in the implementation of heightened evaluation processes for all of DeKalb's procurement. The heightened processes necessitated additional steps and procedures that resulted in a delay of what, at a minimum, is already multi-step, multi-week, committee evaluation and awards process for DeKalb's IT department. After consultation with its legal department it was determined that the IT department was unable to enter into legally binding agreements of any kind until the School Board Meeting Agenda was published on 04/08/2019. It was for these reasons that DeKalb was unable to get its Forms 471 filed by the 03/27/2019 filing window deadline and had to wait until the fourteenth (14th) day after the deadline to do so. Nonetheless, the new procedures needed to be strictly adhered to in order for the District to be in compliance with both local and E-rate requirements. The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and for the past number of years has customarily waived the filing deadline for late filed Forms 471 that were filed within 14 days of the close of the Window. See, Requests For Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science et al CC Docket No. 02-6, Order 25FCC Rcd 9256, 9259, para 8 (2010) and more recently, Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company, dated April 30, 2019, at footnote 16 and May 17, 2019, at footnote 4.

In keeping with recent precedent, DeKalb respectfully requests the Commission grant it a Waiver of the FY2019 filing deadline and allow FCC Forms 471 #191041994 and 191042018 considered for funding as though timely filed within the Window since they were filed on the fourteenth (14th) day 14

day after the filing window deadline. DeKalb's two other FY2019 Form 471 applications were timely filed, so a filing deadline waiver is being requested only for FCC Forms 471 #191041994 and 191042018. Moreover, a waiver of the FY2019 filing deadline would have no adverse effect on the effective administration of the E-rate program and will best serve the public interest and the interests of DeKalb County School District.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler, Esq.

On behalf of Educational Funding Group, Inc.